

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of

Delaware

Forest Laboratories, Inc., et al.,

Plaintiffs,

V.

SUMMONS IN A CIVIL CASE

Cobalt Laboratories, Inc., et al.,

Defendants.

CASE NUMBER: 08-0211

TO: (Name and address of Defendant)

Orchid Chemicals & Pharmaceuticals Ltd. (d/b/a Orchid Healthcare)
c/o State of Delaware - Secretary of State
Division of Corporations
John G. Townsend Building
401 Federal Street - Suite 4
Dover, DE 19901

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Jack B. Blumenfeld
Maryellen Noreika
Morris, Nichols, Arsht & Tunnell LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK

DATE

(By) DEPUTY CLERK

1/10/08

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RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE February 1, 2008
NAME OF SERVER (PRINT) Diana L. Berry	TITLE Administrative Assistant

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served: _____
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☒ Other (specify): By Federal Expressing a copy of the summons and complaint to
Orchid Chemicals & Pharmaceuticals Ltd. c/o Kenneth G. Schuler, Esquire,
Latham & Watkins LLP, Sears Tower, Suite 5800, 233 South Wacker Drive,
Chicago, IL 60606

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

2.1.2008
Date

Signature of Server

1201 North Market Street
Wilmington, DE 19801

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.